

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JIMMIE HOLT

VS.

WAL-MART STORES, INC.

§  
§  
§  
§  
§

CIVIL ACTION NO.: 5-20-cv-1476

JURY DEMANDED

**INDEX OF DOCUMENTS FILED**  
**WITH REMOVAL ACTION**

- A. Plaintiff's Original Petition.
- B. Acknowledgement of Propria Persona Party.
- C. Request for Service and Process.
- D. Executed Citation.
- E. Defendant Wal-Mart Store Inc.'s Original Answer to Plaintiff's Original Petition.
- F. Defendant Wal-Mart Store Inc.'s Demand for Jury Trial.
- G. District Clerk's Case History.
- H. List of Counsel of Record.

## Exhibit A - p. 001



2020-CI-22406

057TH JUDICIAL DISTRICT COURT

JIMMIE HOLT VS WALMART STORE INC

DATE FILED: 11/17/2020

FILED  
DISTRICT CLERK  
BEXAR CO. TEXAS  
2020 NOV 17 P 3:34  
DEPUTY

Minors  
Bentley

Jimmie Holt  
5906 ENCANTO Point DR  
SAN ANTONIO Tex 78244-2501

WALMART Store INC  
702 South West 8<sup>th</sup> ST  
Bentonville AR 72716

To the Honorable Judge Residing the CAUSE of -  
Jimmie Holt the PLAINTIFF V. WALMART Store INC!!  
I the PLAINTIFF Jimmie Holt States that ON the 20-day  
of November 2018 At or About 3:30 PM He went to WALMART store  
ON FM 78 Converse Tx. to do some THANKSGIVING Shopping  
As ENTERING the Store i Pick up A pie that WAS 3.99  
As i went farther into the Store there were some-  
family size Pie's that WAS NOT Priced so i ASK A  
Store employee that WAS PASSING by NAME tag of Roger  
he said that he did Know but i WILL get it for you  
so i waited UNTILL he got back he came back with  
the price AND i THANK him he then begin TALKING  
ON AND ON About his UNCLE's so far AND so on i went About  
my Shopping AND went to Check out here he come's  
back to me AND SAID i AM the mgr OVER ALL of this  
he SAID to me AND Looked At the BLACK SPURS ball cap  
that i WAS WEARING AND he drew back AND hit me ON  
my Right Shoulder NOT just ONCE but twice that i  
had Surgery ON he did NOT Know me he WAS instructed to  
do this, It WAS A Racist Targeted Set up to Shoot me in the back.



**Exhibit A - p. 002**

This was just about two days before Thanksgiving with a store full of people shopping just as I was. I just came into this Walmart store as always to shop not to get ambushed, attacked and set up to be shot and killed at the age of 65 years old senior citizen just trying to get by. This was a hate crime that was racially motivated by Walmart manager Roger Nunez who was instructed to attack me so that if I would have defended myself the store security officer that was behind the scene just waiting to shoot and kill a tax paying decent human being inside a store full of people that is just awful.

I was a retail sales person for over 30 years and never once did I go and hit a customer or let someone instruct me to do so as a grown person very bad decision on Walmart store and the manager that represent Walmart.

There have not been any response back from my  
e CERTIFIED Letter of demand that was received on  
July-6-2020 by your Customer Relation Dept

**Exhibit A - p. 003**

Jimmie Holt Am #20662-4049  
5906 Encanto Point Dr C #210 380-3365  
SAN ANTONIO Tex 78244

WALMART INCORPORATION  
702 South West 8<sup>th</sup> St  
Bentonville AR 72716

FOR THE DAMAGES I RECEIVED FROM  
STORE #05144  
8315 FM 78 CONVERSE TX 78109

NOW FOR MY DAMAGES NOW AND FUTURE PAIN AND SUFFERING  
CAUSE BY YOUR STORE MANAGER'S VIOLENT AND RACIST  
ON ME.

- (1.) RACE DISCRIMINATION ACT - 1976
- (2.) AGE DISCRIMINATION ACT - 1975
- (3.) PAIN AND ONGOING SUFFERING ON THE ELDER  
THAT WAS KNOWN OF INJURY BY PARTY INVOLVED.



**Exhibit A - p. 004**

Again my Recovery in this matter Needs  
to be the sum of 2.7 Million  
Or if we need to take it through the court it  
will be for the sum of 6.0 Million.

Respectfully ;

Jimmie Holt

Exhibit A - p. 005

27-065523-000 030-00-0002850

**Holt, Jimmie**  
5908 Encanto Pl, San Antonio, TX 78244  
DOB: 11/53 TEL: (210) 380-3365

**Prescription Information**

**GABA CAPS**  
Common brand: Gabapentin  
Take one capsule at bedtime.

**Important:**  
- May cause drowsiness  
- May cause dizziness  
- May cause lightheadedness  
- Call doctor if you experience depression or  
- Do not take more than the recommended hours of taking this medicine

**PHARMACY ADVICE\***  
See back for more information

210-666-6066 Mr. KEVIN COMPTON  
8315 FM 78  
CONVERSE TX 78109

STH 05144	OP# 000149	TEH 21 TRH 00878	
HIGH LIFE	003410000007		4.98 T
SANTITAS	002840000211	F	2.00 N
GIZZ HEART	022591540171	F	1.71 N
CKN LIVER	022591640171	F	1.71 N
WHOLE MILK	007874235106	F	2.28 O
AJ SYRUP	003000031069	F	1.00 N
WARM OIL ROR	081832601144		2.00 X
REDUCED TO CLEAR			WAS 2.97
SWEET PO	007074211364	F	1.99 N
RKA BLK CHRY	004300095567	F	0.24 X
RKA PK LEHON	004300095570	F	0.24 X
RKA BLK CHRY	004300095567	F	0.24 X
RKA PK LEHON	004300095570	F	0.24 X
POTATO ROLLS	007874298779	F	3.24 N
UNBRANDED	008615533310		5.78 N
SUBTOTAL			27.65
TAX 1	8.250		0.66
TOTAL			28.31
DEBIT TEND			28.31
CHANGE DUE			0.00

EFT DEBIT 28.31 TOTAL PURCHASE  
US DEBIT - 2101 I O REF # 832400544273  
NETWORK ID. 0076 APPR CODE 650624  
US DEBIT  
AID A00000000042203  
TC 5770B98935440282  
\*NO SIGNATURE REQUIRED  
TERMINAL # HX264453  
11/20/18 15:18:18  
H ITEMS SOLD 14  
TCH 5269 8365 4762 5824 8058

**Jimmie**  
Pt, San Antonio, TX 78244  
TEL: (210) 380-3365

**Counsel New Drug**

**Prescription Information**

**DICLOFENAC SODIUM 1% GEL**  
Common brand(s): Voltaren  
Apply 1 gram topically twice daily

**Important Information**

- For external use only.
- Avoid contact with eyes
- No aspirin without md approval. Continue low dose aspirin unless md stops.
- Before using alcohol with this drug, talk to your healthcare professional.
- Avoid prolonged exposure to direct and/or artificial sunlight.

**Receipt & Refill Information**

**CVS Pharmacy**  
7208 Fm 78  
San Antonio, TX

STORE#: 551

STORE TEL: (210) 666-0162  
RX: 655212 00 RF

**INSURANCE INFORMATION:**  
PDP B015581 PNO3200000  
TR: 22825 GR: 593998 AUTH: A1394183728331

RETAIL PRICE: \$80.99

**WATCH FOR FREE**

**OVER 6,000 MOVIES & TV**

Only at [Vudu.com/WatchFree](http://Vudu.com/WatchFree)

**CVS Pharmacy**  
STORE#: 5512

**DICLOFENAC SODIUM 1% GEL**

TEL: (210) 666-0162  
65523 00

**INFORMATION:**  
81 PNO3200000  
GR: 593998 AUTH: A9194213290531

PRICE: \$54.99

NDC: 69097-0524-44 DAW: 0  
QTY: 100 GM

CAP: Safety MFR PKG: Yes

REFILL: 2 by 1/21/20  
MFR: CIPLA USA, INC.  
PRSCBR: Carol Menzel  
DAYS SUPPLY: 30  
DATE FILLED: 1/21/19

AMOUNT DUE: \$28.50

**Notes from the Pharmacy**

Get important updates to help you stay on track with your health. See back for details.

**CVS pharmacy**

**VUDU**  
Walmart's Digital Video Service

11/20/18 15:18:22  
Scan with Walmart app to save receipts



**Notes from the Pharmacy**

Get important updates to help you stay on track with your health. See back for details.

**CVS pharmacy**

OPEN HERE



## Exhibit A - p. 006

<b>SENDER: COMPLETE THIS SECTION</b> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to:		<b>COMPLETE THIS SECTION ON DELIVERY</b> A. Signature <i>Joe. Inc.</i> B. Receiver (Print Name) JUL 8 2020 C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:	
WALMART STORE INC. Attn: Customer Relation 702 S.W. 8 <sup>th</sup> St Bentonville AR 72916 9590 9403 0109 5077 7608 16		3. Service Type <input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Registered Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Restricted Delivery	
2. Article Number (Transfer from service label) 7019 0700 0000 0375 6294		PS Form 3811, April 2015 PSN 7530-02-000-9053	

Domestic Return Receipt

## Exhibit A - p. 007

Jimmie Holt 7-1-20

5906 ENCANTO Point DR Ph #210 380-3365  
SAN ANTONIO Tex 78244 Hm #210 662 4049

This is A Letter to you AS the Area MGR OF  
WALMART STORES in the SAN ANTONIO Tex, BEXAR COUNTY AND  
SOUTH TEXAS STORES

ON November 20, of 2018 At About 2:30-3:30 PM, I went  
to do some Last minute THANKSGIVING Shopping At your  
WALMART STORE ON FM 78 in CONVERSE Tex,  
AS ENTERING the STORE I Pick up A Pie that WAS \$3.99  
AS I went farther in the STORE there WAS some FAMILY  
Size Pies that WAS NOT Priced so I ASK A STORE CLERK  
for A Price he did NOT know but I WILL get it for you  
so I waited untill he got back he came back with  
the price AND I THANK him he then began TALKING ON AND  
ON About his UNCLE's SO FAR AND SO ON I went about my  
Shopping AND went to Check out here he comes back  
to me AND SAID I AM the MGR OVER ALL of this he  
SAID to me AND Looked At the BLACK SPURS BALL CAP  
that I WAS WEARING AND hit me ON my Right Shoulder  
NOT just ONCE but twice ON the shoulder that I had  
SURGERY ON. IT WAS A Racist set up to Shoot me in  
the back in A store full of people two days before  
THANGSGIVING



**Exhibit A - p. 008**

I just came into your Store AS ALWAYS to Shop  
NOT to get Ambushed Attacked and set up to be  
Shot AND Killed At the Age of 65 Year old  
SENIOR Citizen.

This was a hate CRIME Racially Motivated by  
WALMART MANAGER Roger Nunez AND the Security  
Officer that was behind the scene just WANTING to  
KILL inside a store full of People;

This SAME Store intentionally done damage to my  
CAR i had stop going there for that REASON AND NOW  
this.

Let me Add that NONE of what is on this Police  
Report is what WAS taken down by Officer-  
George Shaw Bage #456 is ON this Report that  
i Received that is not good Looks Like more Racism AND  
hate games,

**Exhibit A - p. 009**

This is my Letter of demand form WALMART  
for ALL my damages NOW AND future PAIN AND  
Suffering CAUSE by YOUR STORE MANAGER'S VIOLENT  
RACIST ATTACK ON me.

RACE DISCRIMINATION ACT-1976

Age DISCRIMINATION ACT-1975

PAIN AND ON going Suffering ON the ELDER  
that i AM STILL going through that RECURRED to other  
PARTS of my Shoulder;

It Needs to be for the SUM of 2.75 MILLION -

OR if we Need to take it through the COURT it WILL  
be for the SUM of 6 MILLION DOLLARS

I Need A Respond BACK WITHIN THIRTY days of  
Receiving this Letter of Demand.

THANK YOU.

Jimmie Holt



**Northeast Orthopaedics and Sports Medicine**

12709 Toepperwein Road  
Suite 101  
San Antonio, TX 78233  
(210) 477-5151

--- **APPROVED** ---

Date Apr 10 2019 1:30:58 PM  
Type Credit Card - Sale

---

CareTracker Patient First JIMMIE  
CareTracker Patient Last HOLT  
CareTracker Patient ID 90518326

---

Authorization Amount \$1.22  
Authorization Code 123004  
Card Holder Name JIMMIE HOLT  
Card Type MC  
Card Number \*\*\*\*\*2101  
Response Message Code Approval (00) 000  
Mode Issuer

---

I AGREE TO PAY THE ABOVE AMOUNT ACCORDING TO MY CARD HOLDER AGREEMENT.

**Exhibit A - p. 011**

SOUTH TEXAS RADIOLOGY  
IMAGING CENTERS

South Texas Radiology Imaging Centers  
Northeast Imaging Center  
12602 Toepperwein, Suite 101  
San Antonio TX, 78233  
(210) 617-9700 (210) 564-1561

**Patient:** HOLT, JIMMIE L  
**DOB:** 11/04/1953  
**Sex:** M  
**Requester:** Simon, Patrick M, M.D.

**Age:** 65 Years

**MRN:** 001281031  
**Dept:** D00399542  
**ACC:** 18576124  
**Exam Site:** NE

**Exam:** MR Shoulder, Right  
**Date:** 02/19/2019 12:01 PM  
**Reason:** Rt shoulder pain

### FINAL REPORT

MRI RIGHT SHOULDER WITHOUT CONTRAST:

**INDICATION:** Pain.

**TECHNIQUE:** Standard MR pulse sequences were obtained of the right shoulder without contrast. Motion artifact software was utilized.

**FINDINGS:** There is tendinopathy of the supraspinatus and infraspinatus without tear and the teres minor tendon is intact. Subscapularis and long head of the biceps are intact. No biceps tear or subluxation.

There is postsurgical change in the superior glenoid which may reflect a prior superior labral repair. There is tearing along the base of the inferior labrum with formation of small paralabral cysts. The largest is located approximately at the 6 o'clock position and stretches over a length of 17 mm. This is seen for example on image #3 of series 6. Tearing extends along the base of the posterior labrum. No recurrent superior labral tear with blunting and fraying of the superior labrum. There is irregular chondral loss along the superomedial humeral head for example as seen on image #6 of series 400. Likewise, there is relatively high-grade chondral loss along portions of the inferior glenoid. Inferior glenohumeral ligament-capsular complex is otherwise intact.

Acromioclavicular joint is normal in alignment although there has probably been previous resection of the far distal clavicle. Likely changes of prior acromioplasty. No subacromial bursal effusion although there is mild bursal inflammation.

### IMPRESSION:

1. Rotator cuff is intact with tendinopathy but no definite rotator cuff tear.
2. Status post superior labral debridement and repair with residual tearing along the base of the posterior and inferior labrum. Associated paralabral cysts along the inferior glenoid, with the largest located at the 6 o'clock position, measuring up to 17 mm in length.
3. Mild-to-moderate osteoarthritic change of the glenohumeral joint, with

Simon, Patrick M, M.D.  
12709 Toepperwein Rd  
Suite 101  
Live Oak, TX 78233

FWRP-CMR3/SPRF/ORPGO

Page 1 of 2



## Exhibit A - p. 012



SOUTH TEXAS RADIOLOGY  
IMAGING CENTERS

South Texas Radiology Imaging Centers  
Northeast Imaging Center  
12602 Toepperwein, Suite 101  
San Antonio TX, 78233  
(210) 617-9700 (210) 564-1561

Patient: **HOLT, JIMMIE L**

DOB: 11/04/1953

Sex: M

Age: 65 Years

MRN: 001281031

Dept: D00399542

ACC: 18576124

areas of Grade III chondromalacia superior medial humeral head and inferior glenoid.

END OF IMPRESSION

JES/em

Report has been faxed to requesting physician on 02/19/19 at 12:23 pm.

End of report

Interpreted By: JENNIFER E SWART, M.D. on 2/19/2019

Signed By: JENNIFER E SWART, M.D. on 02/19/2019@ 3:26 PM

Simon, Patrick M, M.D.  
12709 Toepperwein Rd  
Suite 101  
Live Oak, TX 78233

FWRP-CMR3/SPRF/ORPGO

Page 2 of 2

**Exhibit A - p. 013**

**stric**  
SOUTH TEXAS RADIOLOGY  
PATIENTS & UTILITY

Northeast Imaging  
12602 Toepperwein, Suite 101  
San Antonio, Texas 78233  
210.617.9700

**Receipt#:** 712645

**Collection Date**

2/19/2019

## ***Receipt***

---

**Patient Name** HOLT, JIMMIE L

**DOB:** 11/4/1953

**ExamDate** 2/19/2019

**DNumber** D00399542

**MRN:** 001281031

**Exams For Date:**

**Estimated Amount** \$100.00

**Collected Amount** \$100.00

**Collection Status** Paid Entire Estimated Amt

**PaidVia:** CreditCard

**Ck#\_CCtype:** MC

**Comments:**

*This is an estimated charge based on information we have received from your insurance company. The actual amount owed may be higher or lower after your claim has been processed.*

**Collected by:** emy7107  
**Print Date:** 2/19/2019  
10:11 AM

**STRIC 338**



**Exhibit A - p. 014**

9/23/2019

Inform Browser : 5.826.28.0 - Reports - Incident Report

**Incident Detail Report**

Data Source: Data Warehouse  
 Incident Status: Closed  
 Incident number: CNVPD-2019-0941533  
 Case Numbers:  
 Incident Date: 9/10/2019 11:37:53  
 Report Generated: 9/23/2019 09:02:14

**Incident Information**

Incident Type: 1  
 Priority: Report Only  
 Determinant: 09102019-0024222  
 Base Response#: CNV 3  
 Confirmation#: NO ACTION TAKEN  
 Taken By: Closed  
 Response Area: 98324706  
 Disposition:  
 Cancel Reason:  
 Incident Status:  
 Certification:  
 Longitude:

Alarm Level:  
 Problem:  
 Agency:  
 Jurisdiction:  
 Division:  
 Battalion:  
 Response Plan:  
 Command Ch:  
 Primary TAC:  
 Secondary TAC:  
 Delay Reason (if any):  
 Latitude:

Information  
 BCLE  
 Converse PD  
 Converse PD  
 Converse PD  
 CNV3 (1 Officer)

29497862

**Incident Location**

Location Name: WALMART SUPERCENTER #5144  
 Address: 8315 FM 78  
 Apartment:  
 Building:  
 City, State, Zip: CONVERSE TX 78109

County:  
 Location Type:  
 Cross Street:  
 Map Reference:

BEXAR  
 VENTURE WAY/CRESTWAY RD  
 586B2

**Supplemental Information - Person**

PERSON 1  
 OLN: 08579598

**Call Receipt**

Caller Name:  
 Method Received:  
 Caller Type:  
 Caller Address:  
 Caller Building:  
 Caller City, State, Zip:

Call Back Phone:  
 Caller Location:  
 Caller Location Phone:  
 Caller Apartment:  
 Caller County:

**Time Stamps**

Description	Date	Time	User
Phone Pickup	9/10/2019	11:37:53	
1st Key Stroke	9/10/2019	11:37:53	
In Waiting Queue	9/10/2019	11:37:53	
Call Taking Complete	9/10/2019	11:37:53	
1st Unit Assigned	9/10/2019	11:37:54	
1st Unit Enroute	9/10/2019	11:37:54	
1st Unit Arrived	9/10/2019	11:37:54	
Closed	9/10/2019	11:51:12	VisiNetMobileInterface

**Elapsed Times**

Description	Time
Received to In Queue	
Call Taking	
In Queue to 1st Assign	00:00:01
Call Received to 1st Assign	00:00:01
Assigned to 1st Enroute	00:00:00
Enroute to 1st Arrived	00:00:00
Incident Duration	00:13:19

**Resources Assigned**

Unit	Primary Flag	Assigned	Disposition	Enroute	Staged	Arrived	At Patient	Delay Avail	Complete	Odm, Enroute	Odm, Arrived	Cancel Reason
9956s	Y	11:37:54	NO ACTION TAKEN	11:37:54		11:37:54	11:38:30		11:51:12			

**Personnel Assigned**

Unit	Name
9956s	Shaw, George (CNV) (BCLE901506)

**Caution Notes**

wpcadbrower01.cad.cosa/VisiNetBrowser/Search/IncidentReport.aspx?id=38547262&ds=a

1/3

## Exhibit A - p. 015

Inform Browser : 5.826.28.0 - Reports - Incident Report

9/23/2019

No Caution Notes found

Pre-Scheduled Information  
No Pre-Scheduled InformationTransports  
No Transports InformationTransport Legs  
No Transports Information

Comments Date	Time	User	Type	Response	Conf.	Comments
9/10/2019	11:37:54	INT				9956s:CREATED CALL FROM MOBILE NAME: HOLT, JIMMIE, LEE DESCRIPTION: BLACKMALE1104195315-110250BLACKBROWN SEX OFF: N COMM IMPED: N ORGAN DONOR: N VISA EXP: PHYSICAL ADD: 5906 ENCANTO POINT DR C/CO/ST/ZIP: SAN ANTONIO,BEXAR,TEXAS,78244-0000, UNITED STATES MAILING ADD: 5906 ENCANTO POINT DR C/ST/ZIP: SAN ANTONIO,TEXAS,78244-0000, UNITED STATES REC STATUS: ELIGIBLE ADMIN STATUS: CARD STATUS: HME THR ASMT: EXP: CARD TYPE: DL #: 08579598 CLASS: C TYPE: DL EXPIR DATE: 11042024 NUNEZ, ROGER (MGR) ON 11-20-2018 HIT RIGHT SHOULDER AT SELF CHECK OUT HOLT STATED THAT NUNEZ KNEW THAT HE HAD SHOULDER SURGURY AND KNEW WHICH SHOULDER TO HIT/ HOLT STATED THAT HE REPORTED IT TO HIS DOCTOR 210-380-3365 HOLT PHONE NUMBER [Notification] [BCLE]-Problem changed from Officer Initiated Activity to Information by BCLE HOLT POSS 10-96 FELS LIKE HES BEING TARGETED FOR NO REASON
9/10/2019	11:41:43	Shaw, George (CNV)	Response			
9/10/2019	11:44:54	Shaw, George (CNV)	Response			
9/10/2019	11:46:32	Shaw, George (CNV)	Response			
9/10/2019	11:47:21	Shaw, George (CNV)	Response			
9/10/2019	11:47:37	BCLE41513	Response			
9/10/2019	11:49:23	Shaw, George (CNV)	Response			

## Address Changes

Date	Time	Location/Address
9/10/2019	11:38:25	/ 8315 FM 78

User  
MAB

## Priority Changes

Date	Time	Changed from Priority
9/10/2019	11:47:37	00

Reason  
Additional InformationUser  
HA

## Alarm Level Changes

No Alarm Level Changes

Activity Log Date	Time	Radio	Activity	Location	Log Entry	User
9/10/2019	11:37:53		Incident in Waiting Queue	8315 FM 78	Response Number (09102019-0024222)	VisiNET
9/10/2019	11:37:54	9956s	DJSP	8315 FM 78	Responding From = S SEGUIN ROAD AVENUE D	VisiNET
9/10/2019	11:37:54	9956s	RESP	8315 FM 78		VisiNET
9/10/2019	11:37:54	9956s	ONSCENE		9956s: OnSite Incident Created.	INT
9/10/2019	11:37:54	9956s	Interface:mcl/mdl/mst	8315 FM 78	Supplemental Person record 4987803 - was added for	DMOBINTPD07w
9/10/2019	11:38:18		Supplemental Information	8315 FM 78		BCLE32182
9/10/2019	11:38:30	9956s	SECURE		Comment for Incident 262 was Marked as Read.	BCLE41513
9/10/2019	11:47:33		Read Comment		Incident priority changed from 00 to Report Only due to Additional	BCLE41513
9/10/2019	11:47:38		Incident Priority Change		Information	BCLE41513
9/10/2019	11:47:41		UserAction		User clicked Exit/Save	VisiNET
9/10/2019	11:51:12		Response Closed	WALMART SUPERCENTER #5144	Response Disposition: NO ACTION TAKEN	VisiNET
9/10/2019	11:51:12	9956s	AVAIL	8315 FM 78		

Edit Log Date	Time	Field	Changed From	Changed To	Reason	Table	Workstation	User
9/10/2019	11:38:25	State		TX	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	Postal_Code		78109	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	Latitude	0	29497862	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182

wpcadbrowser01.cad.cosa/VisiNetBrowser/Search/IncidentReport.aspx?id=38547262&amp;ds=a

2/3



## Exhibit A - p. 016

9/23/2019				Inform Browser : 5.826.28.0 - Reports - Incident Report				
9/10/2019	11:38:25	Longitude	0	98324706	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	Location_Name		WALMART SUPERCENTER #5144	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	County		BEXAR	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	Battalion		Converse PD	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	Response_Area		CNV 3	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	PremiseID	0	6288	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	Response_Plan		CNV3 (1 Officer)	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	DispatchLevel		Default	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	Street_Id	0	25586	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	RespReconfigState	0	1	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	ResponsePlanType	0	1	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	DispatchLevel		Default	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	Cross_Street		VENTURE WAY/CRESTWAY RD	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:25	Address	8315 FM 78	8315 FM 78	Powerline Command	Response_Master_Incident	ROC-008	BCLE32182
9/10/2019	11:38:26	Pickup_Map_Info		586B2		Response_Transports	CITRIX-CAD-P07	BCLE32182
9/10/2019	11:38:26	Map_Info		586B2		Response_Master_Incident	CITRIX-CAD-P07	BCLE32182
9/10/2019	11:47:33	Read Comment	False	True	(Response Viewer)	Response_Master_Incident	ROC-009	BCLE41513
9/10/2019	11:47:37	Response_Time_Criteria	00:00:00	00:30:00	(Response Viewer)	Response_Master_Incident	ROC-009	BCLE41513
9/10/2019	11:47:38	Problem	Officer Initiated Activity	Information	(Response Viewer)	Response_Master_Incident	ROC-009	BCLE41513
9/10/2019	11:47:38	Priority_Description	00	Report Only	Additional Information	Response_Master_Incident	ROC-009	BCLE41513
9/10/2019	11:47:38	Priority_Number	0	6	Additional Information	Response_Master_Incident	ROC-009	BCLE41513
Custom Time Stamps								
No Custom Time Stamps								
Custom Data Fields								
Description							Data	User
PSAP							BEXAR CO SO: 210-335-4630	BCLE32182
SAPD CHANNEL							NOT SAPD	BCLE32182
Attachments								
No Attachment								

2020-CI-22406

057TH JUDICIAL DISTRICT COURT  
JIMMIE HOLT VS WALMART STORE INC

DATE FILED: 11/17/2020

**Exhibit B**

## Pro Se Acknowledgement

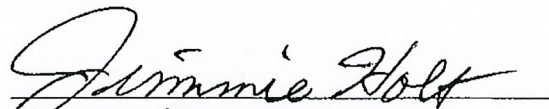
Cause Number: \_\_\_\_\_

I have received, read and understand all of the Pro Se Hearing Guidelines. I agree to abide by these guidelines and understand that my failure to do so may result in adverse action against me, that I may be asked to leave the Courtroom, or that I may not receive the relief I am seeking.

If the opposing party will sign a **Waiver of Citation**, it is only valid if the notarized signature is dated at least one (1) day after the date the **Original Petition for Divorce** is filed.

If I am filing for a divorce or for a change in custody, and my spouse and I care for minor-age children, I will take the required class, "**Helping Children Cope with Divorce**", before asking the court to enter a final Order or Decree. I understand that my divorce will not be granted without presenting the certificate of completion.

I understand that I may hire an attorney to represent me or, if I meet certain requirements, I may be entitled to free counsel. By choosing to voluntarily represent myself, I am now proceeding Pro Se. I will receive no special favors, assistance, or advice from the Judge, judicial staff, or clerks as they cannot and do not represent either party in the litigation. I will be expected to comply with all relevant rules of procedural, evidentiary, and substantive law. I understand that the filing and service fees are not refundable under any circumstance.

  
Signature of Pro Se Litigant

11-17-20  
Date

BY  
  
VICTORIA CORDERO

FILED  
DISTRICT CLERK  
BEXAR CO. TEXAS  
2020 NOV 17 P 3:34



**Exhibit C**

2020-CI-22406

057TH JUDICIAL DISTRICT COURT

2020CI22406 -P00003

JIMMIE HOLT VS WALMART STORE INC

Court: \_\_\_\_\_

DATE FILED: 11/17/2020

**MARY ANGIE GARCIA**  
Bexar County District Clerk**Request for Process**FILED  
DISTRICT CLERK  
BEXAR CO. TEXAS  
2020 NOV 17 P 3:34  
DEPUTY  
Diana O. Salazar

Style: \_\_\_\_\_ Vs. \_\_\_\_\_

Request the following process: (Please check all that Apply)

- ☐ Citation ☐ Notice ☐ Temporary Restraining Order ☐ Notice of Application for Protective Order  
☐ Temporary Protective Order ☐ Precept with hearing ☐ Precept without a hearing ☐ Writ of Attachment  
☐ Writ of Habeas Corpus ☐ Writ of Garnishment ☐ Writ of Sequestration ☐ Capias ☐ Other: \_\_\_\_\_

1. Name: WALMART INC Data Dept  
 Registered Agent/By Serving: Intake Dept  
 Address: 702 S.W. 8th St Bentonville AR 72716  
 Service Type: (Check One) ☒ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door  
☒ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable Pct \_\_\_\_\_  
 (Pct. 3 serves process countywide)

2. Name: \_\_\_\_\_  
 Registered Agent/By Serving: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Service Type: (Check One) ☐ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door  
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable Pct \_\_\_\_\_  
 (Pct. 3 serves process countywide)

3. Name: \_\_\_\_\_  
 Registered Agent/By Serving: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Service Type: (Check One) ☐ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door  
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable Pct \_\_\_\_\_  
 (Pct. 3 serves process countywide)

4. Name: Walmart Inc 702 S.W. 8th St Bentonville AR 72716  
 Registered Agent/By Serving: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Service Type: (Check One) ☐ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door  
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable Pct \_\_\_\_\_  
 (Pct. 3 serves process countywide)

Title of Document/Pleading to be Attached to Process: \_\_\_\_\_

Name of Attorney/Pro se: Jimmie Holt Bar Number: \_\_\_\_\_  
 Address: 5906 Encanto Point Dr Phone Number: 210 380-3365  
SAN Antonio Tex 78244 210 662-4049  
 Attorney for Plaintiff \_\_\_\_\_ Defendant \_\_\_\_\_ Other \_\_\_\_\_

\*\*\*IF SERVICE IS NOT PICKED UP WITHIN 14 BUSINESS DAYS, SERVICE WILL BE DESTROYED\*\*\*



CERTIFIED MAIL #70201290000216727594



Case Number: 2020-CI-22406

2020CI22406 S00001

JIMMIE HOLT

vs.

WALMART STORE INC

(Note: Attached document may contain additional litigants).

**Exhibit D**IN THE DISTRICT COURT  
57th JUDICIAL DISTRICT  
BEXAR COUNTY, TEXAS**CITATION****"THE STATE OF TEXAS"**DIRECTED TO: WALMART STORE INC  
BY SERVING THE INTAKE DEPT702 SW 8TH ST  
BENTONVILLE AR 72716

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this CITATION and ORIGINAL PETITION, a default judgment may be taken against you." Said CITATION with ORIGINAL PETITION was filed on the 17th day of November, 2020.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 24TH DAY OF November A.D., 2020.

JIMMIE HOLT  
ATTORNEY FOR PROPIA PERSONA  
5906 ENCANTO POINT DR  
SAN ANTONIO, TX 78244-2501Mary Angie Garcia  
Bexar County District Clerk  
101 W. Nueva, Suite 217  
San Antonio, Texas 78205By: *Laura Castillo*, DeputyJIMMIE HOLT  
vs  
WALMART STORE INC

Officer's Return

Case Number: 2020-CI-22406  
Court: 57th Judicial District Court

Came to hand on the 24th day of November 2020, A.D., at 1:32 o'clock P.M. and **EXECUTED** (NOT EXECUTED) by CERTIFIED MAIL, on the 20th day of November 2020 by delivering to: Keith Rusher at 702 SW 8TH ST BENTONVILLE AR 72716 a true copy of this Citation, upon which I endorsed that date of delivery, together with the accompanying copy of the CITATION with ORIGINAL PETITION.

Cause of failure to execute this Citation is \_\_\_\_\_.

**FILED**  
**11 O'CLOCK 074M**  
**DEC 08 2020**  
**MARY ANGIE GARCIA**  
District Clerk, Bexar County, Texas  
BY *Laura Castillo*  
DEPUTY

Mary Angie Garcia  
Clerk of the District Courts  
of Bexar County, TXBy: *Laura Castillo*, Deputy

RETURN TO COURT (DK003)

DOCUMENT SCANNED AS FILED



7020 1290 0002 1672 7594

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage

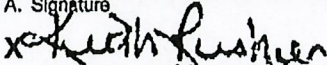
NOV 25 2020  
Postmark Here

SALENTONIO, TX.

WALMART STORE INC  
BY SERVING THE INTAKE DEPT  
702 SW 8TH ST  
BENTONVILLE, AR 72716

2020C122406 11/24/2020 CITCM LAURA CASTILLO

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete Items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature   <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)            Keith Rushen</p> <p>C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>WALMART STORE INC            SERVING THE INTAKE DEPT            702 SW 8TH ST            BENTONVILLE, AR 72716</p>	<p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes            Enter delivery address below: <input type="checkbox"/> No</p> <p style="text-align: right;">NOV 30 2020</p>
<p>9590 9402 5990 0062 2800 89</p> <p>7020 1290 0002 1672 7594</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>

PS Form 3811, July 2019 PSN 7530-02-000-9033

DOCUMENT SCANNED AS FILED

Domestic Return Receipt



USPS TRACKING #



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 5990 0062 2488 89

United States  
Postal Service

\* Sender: Please print your name, address, and ZIP+4® in this box\*

FILED  
DISTRICT CLERK  
BEXAR CO. TEXAS

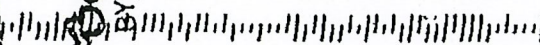
2020 DEC 28 AM 11:07

DEPUTY

*Donna A. Garcia*

Mary Angie Garcia  
Bexar County District Clerk  
101 W. Nueva, Suite #217  
San Antonio, Texas 78205

BY



## Exhibit E

NO.:2020-CI-22406

JIMMIE HOLT	§	IN THE DISTRICT COURT
	§	
VS.	§	57 <sup>th</sup> JUDICIAL DISTRICT
	§	
WAL-MART STORE, INC.	§	OF BEXAR COUNTY, TEXAS

**DEFENDANT'S ORIGINAL ANSWER TO PLAINTIFF'S ORIGINAL PETITION**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, WAL-MART STORE, INC., a Defendant in the above numbered and entitled cause of action, and files this Original Answer to Plaintiff's Original Petition and for support thereof would respectfully show unto the Court as follows:

I.

Defendant asserts denials, under Rule 92 of the Texas Rules of Civil Procedure, to each and every allegation contained in the said Petition, and demand strict proof thereof.

II.

Pleading further and without waiving the foregoing, Defendant specifically reserves the right to amend this Answer, as is their right under the Texas Rules of Civil Procedure.

PREMISES CONSIDERED, Defendant prays that Plaintiff take nothing by this lawsuit, and that Defendant be allowed to go hence without day and recover all of its costs and attorney's fees, and such other and further relief, both special and general, at law or in equity, to which they may show themselves justly entitled.



Respectfully submitted,

DAW & RAY, LLP

/s/ Willie Ben Daw, III

Willie Ben Daw, III; TBN:05594050

Email: [wbdaw@dawray.com](mailto:wbdaw@dawray.com)

James K. Floyd, TBN: 24047626

Email: [jfloyd@dawray.com](mailto:jfloyd@dawray.com)

Elizabeth W. Yancy, TBN: 24098642

Email: [eyancy@dawray.com](mailto:eyancy@dawray.com)

14100 San Pedro Ave.

Suite 302

San Antonio, TX 78232

(210) 244-3121 Telephone

(201) 224-3188 Facsimile

**ATTORNEYS FOR DEFENDANT  
WAL-MART STORE, INC.**

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a true and correct copy of the above and foregoing instrument has been served upon all known counsel of record by electronic service on this the 21<sup>st</sup> day of December, 2020.

Jimmie Holt, Pro Se  
5906 Encanto Point Dr.  
San Antonio, Texas 78244-2501  
*Via CM/RRR 7017 2620 0000 1069 8014*

/s/ *Willie Ben Daw, III*

Willie Ben Daw, III



## Exhibit F

NO.:2020-CI-22406

JIMMIE HOLT

VS.

WAL-MART STORE, INC.

§  
§  
§  
§  
§

IN THE DISTRICT COURT

57<sup>th</sup> JUDICIAL DISTRICT

OF BEXAR COUNTY, TEXAS

### **DEFENDANT'S DEMAND FOR JURY TRIAL**

COMES NOW, Defendant WAL-MART STORE, INC. and hereby demands a jury trial as is its right under Tex. Const. Art. I, § 15. Such demand for jury trial is hereby made more than 30 days before the date this case is set for trial in accordance with Tex. R. Civ. P. 216. Defendant tenders the jury fee contemporaneously with the filing of this jury demand which they may show themselves justly entitled.

Respectfully submitted,

DAW & RAY, LLP

/s/ Willie Ben Daw, III

Willie Ben Daw, III; TBN:05594050

Email: [wbdaw@dawray.com](mailto:wbdaw@dawray.com)

James K. Floyd, TBN: 24047626

Email: [jfloyd@dawray.com](mailto:jfloyd@dawray.com)

Elizabeth W. Yancy, TBN: 24098642

Email: [eyancy@dawray.com](mailto:eyancy@dawray.com)

14100 San Pedro Ave.

Suite 302

San Antonio, TX 78232

(210) 244-3121 Telephone

(201) 224-3188 Facsimile

**ATTORNEYS FOR DEFENDANT  
WAL-MART STORE, INC.**

**CERTIFICATE OF SERVICE**

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Jimmie Holt, Pro Se  
5906 Encanto Point Dr.  
San Antonio, Texas 78244-2501  
***Via CM/RRR 7017 2620 0000 1069 8014***

/s/ *Willie Ben Daw, III*  
Willie Ben Daw, III



## Exhibit G



### COUNTY CLERK & DISTRICT CLERK COURT RECORDS SEARCH

---

## Case #2020CI22406

**Name**: JIMMIE HOLT

**Date Filed** : 11/17/2020

**Case Status** : PENDING

**Litigant Type** : PROPIA PERSONA

**Court** : 057

**Docket Type** : OTHER CIVIL CASES

**Business Name** :

**Style** : JIMMIE HOLT

**Style (2)** : vs WALMART STORE INC

# Case History

Currently viewing 1 through 6 of 00006 records

Sequence	Date Filed	Description
P00005	12/21/2020	ORIGINAL ANSWER OF WAL-MART STORE INC
P00004	12/21/2020	JURY DEMAND JURY FEE PAID
S00001	11/24/2020	CITATION CERTIFIED MAIL WALMART STORE INC ISSUED: 11/24/2020 RECEIVED: 11/24/2020 EXECUTED: 11/30/2020 RETURNED: 12/8/2020
P00003	11/17/2020	REQUEST FOR SERVICE AND PROCESS
P00002	11/17/2020	ACKNOWLEDGMENT OF PROPRIA PERSONA PARTY
P00001	11/17/2020	PETITION



# Exhibit H

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JIMMIE HOLT

VS.

WAL-MART STORES, INC.

§  
§  
§  
§  
§

CIVIL ACTION NO.: 5-20-cv-1476

JURY DEMANDED

**LIST OF COUNSEL OF RECORD**

1. Jimmie Holt  
5906 Encanto Point Drive  
San Antonio, Texas 78244-2501  
**PRO SE PLAINTIFF**
  
2. Willie Ben Daw, III; TBN: 05594050  
Email: [wbdaw@dawray.com](mailto:wbdaw@dawray.com)  
James K. Floyd; TBN: 24047628  
Email: [jfloyd@dawray.com](mailto:jfloyd@dawray.com)  
Elizabeth W. Yancy; TBN: 24098642  
Email: [eyancy@dawray.com](mailto:eyancy@dawray.com)  
Daw & Ray, LLP  
14100 San Pedro, Suite 302  
San Antonio, Texas 78232  
(210) 224-3121 Telephone  
(210) 224-3188 Facsimile  
**ATTORNEYS FOR DEFENDANT,**  
**WAL-MART STORE INC**